

1 AARON D. FORD  
2 Attorney General  
3 DOUGLAS R. RANDS, Bar No. 3572  
4 Senior Deputy Attorney General  
State of Nevada  
5 Public Safety Division  
100 N. Carson Street  
Carson City, Nevada 89701-4717  
Tel: (775) 684-1150  
E-mail: drands@ag.nv.gov

6 *Attorneys for Defendants*

7 *Kim Adamson, Romeo Aranas, Veronica Austin, Renee Baker,*  
8 *Susan Baros, Francisco Bautista, Dwayne Baze, Quentin Byrne,*  
*David Carpenter, Tara Carpenter, Ian Carr, Anthony Carrasco,*  
*Jeffery Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis,*  
*Russell Donnelly, James Dzurenda, Arwen Feather, Pamela Feil,*  
*Gilberto Florio-Ramirez, Sheryl Foster, Tom Garrett, Coralee Gorsline,*  
10 *Katherine Hegge, Desiree Hultenschmidt, William Kablitz,*  
*Walter Lima-Hernandez, Dominick Martucci, E.K. McDaniel, Valaree Olivas,*  
11 *William Sandie, Richard Snyder, James Stogner, Roger Terance, Kim Thomas,*  
*Joy Walsh, Harold Wickham and Catherine Yup*

12  
13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 JOSEPH M. ANDERSON,

16 Plaintiff,

17 v.

18 JAMES DZURENDA, et al.,

19 Defendants.

Case No. 3:18-cv-00426-MMD-CBC

**MOTION FOR EXTENSION OF TIME TO  
RESPOND TO PLAINTIFF'S MOTION TO  
COMPEL (ECF NO. 175)**

20 Defendants, Kim Adamson, Romeo Aranas, Veronica Austin, Renee Baker, Susan Baros,  
21 Francisco Bautista, Dwayne Baze, Quentin Byrne, David Carpenter, Tara Carpenter, Ian Carr, Anthony  
22 Carrasco, Jeffrey Chandler, Nichole Cordova, James "Greg" Cox, Scott Davis, Russell Donnelly, James  
23 Dzurenda, Arwen Feather, Pamela Feil, Gilberto Florio-Ramirez, Sheryl Foster, Tim Garrett, Coralee  
24 Gorsline, Katherine Hegge, Desiree Hultenschmidt, William Kablitz, Walter Lima-Hernandez, Dominick  
25 Martucci, E. K. McDaniel, Valaree Olivas, William Sandie, Richard Snyder, James Stogner, Roger  
26 Terance, Kim Thomas, Joy Walsh, Harold Wickham and Catherine Yup, by and through counsel, Aaron  
27 D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney  
28 General, hereby move this Court for an extension of time to respond to Plaintiff's Motion to Compel

1 Disclosure to Interrogatories, (ECF No. 175). This Motion is made and based upon Federal Rule of Civil  
 2 Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and  
 3 such other and further information as this Court may deem appropriate.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. ARGUMENT**

6 Defendants respectfully request an extension of time out from the current deadline (June 29,  
 7 2020) to respond to Plaintiff's Motion to Compel Answers to Interrogatories in this case. Plaintiff has  
 8 served multiple requests for discovery on the Defendants. The new due date for that discovery would  
 9 be July 7, 2020. The Defendants respectfully request an extension, until that date, for responses to  
 10 respond to Plaintiff's Motion. (ECF No. 175)

11 Defense counsel submits that he is not able to respond to the motion in a timely manner.  
 12 Counsel is finalizing a substantial dispositive motion in another matter which has taken an inordinate  
 13 amount of time. In fact, Counsel worked both Saturday and Sunday on the response which is due June  
 14 30, 2020. Judge Cobb has made it clear, in no uncertain terms, that there will be no further extensions  
 15 of time in Case No. 3:14-cv-00661-RCJ-WGC, Strohmeyer v Belenger, et. al. Counsel is also working  
 16 on the Settlement Brief in the Hepatitis C class action, which is due on July 1, 2020. Additionally, the  
 17 work restrictions of COVID C are continuing to affect the ability to timely respond to this motion.  
 18 Counsel would ordinarily not request an extension due to case load. However, this is a particularly  
 19 unusual time and occurrence.

20 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

21 When an act may or must be done within a specified time, the court may,  
 22 for good cause, extend the time: (A) with or without motion or notice if  
 23 the court acts, or if a request is made, before the original time or its  
 extension expires; or (B) on motion made after the time has expired if the  
 party failed to act because of excusable neglect.

24 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for a  
 25 thorough opportunity to respond to the motion. The requested extension of time should permit the  
 26 Defendants time to adequately research draft, and submit their response in this case. Defendants assert  
 27     ///  
 28     ///

1 that the requisite good cause is present to warrant the requested extension of time. Therefore, the  
2 Defendants request an extension, until July 7, 2020, to respond to Plaintiff's Motion to Compel  
3 Disclosure to Interrogatories, (ECF No. 175).

4 DATED this 29th day of June, 2020.

5 AARON D. FORD  
6 Attorney General

7 By: /s/ Douglas R. Rands  
8 DOUGLAS R. RANDS, Bar No. 3572  
Senior Deputy Attorney General

9 *Attorneys for Defendants*

10  
11  
12 IT IS SO ORDERED  
13   
14 U.S. MAGISTRATE JUDGE

15 DATED June 30, 2020

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 29th day of June, 2020, I caused to be served a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S MOTION TO COMPEL (ECF NO. 175)**, by U.S. District Court CM/ECF Electronic Filing to:

Joseph Anderson #62253  
Care of LCC Law Librarian  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, Nevada 89419  
[lcclawlibrary@doc.nv.gov](mailto:lcclawlibrary@doc.nv.gov)

/s/ Laure Penny  
An employee of the  
Office of the Attorney General

# DECLARATION

DOUGLAS R. RANDS

DECLARATION

## **DECLARATION OF DOUGLAS R. RANDS**

1. I, Douglas R. Rands, am over the age of 18 and am otherwise fully competent to testify to the facts contained in this declaration.

2. The statements contained in this declaration, except where otherwise indicated to be upon information and belief, are based on my personal knowledge and experience.

3. I am an Attorney licensed to practice law in the Federal District Court for the District of Nevada.

4. In connection with the filing of this declaration, I submit this declaration in support of Defendant's Motion for Extension of time in the matter entitled *Anderson v. Dzurenda, et al.*, currently pending in the United States District Court, District of Nevada as Case No. 3:18-cv-00426-MMD-CBC.

5. Due to the COVID pandemic and Counsel's current home-based work arrangements, response to the Motion to Compel, ECF No. 175 has been particularly difficult.

7. Counsel has been diligently working on other matters, including a dispositive motion in Case No. 3:14-cv-00661-RCJ-WGC, Strohmeyer v Belenger, et. al.

8. Counsel worked all day Saturday and most of the day Sunday on the motion. However, there is still significant work required on that motion.

9. Counsel is also working on the Settlement Brief in the Hepatitis C class action, which is due on July 1, 2020.

10. Counsel generally would not request an extension based on work load. However, this is a unique time and circumstance.

FURTHER I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 29th day of June, 2020.

Douglas R. Bands